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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,656	03/19/2004	Nicholas Shaylor	P-3697DIV2	3623

24209 7590 01/29/2007  
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EXAMINER
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RAYYAN, SUSAN F

ART UNIT	PAPER NUMBER
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2167

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/29/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

***Response to Amendment***

1. The reply filed on November 6, 2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

Newly submitted claims 41-55 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: the originally claimed invention (claims 34-40) are drawn to re-formatting data, classified in Class 707, subclass 201. New claims 41-55 are drawn to a data structure, classified in Class 707, subclass 100. Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 41-55 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Claims 1-33 were canceled in the preliminary amendment filed on March 19, 2004 and claims 34-40 were canceled in the amendment filed on November 6, 2006. There are currently no claims pending.


See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

### **Contact Information**

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Rayyan whose telephone number is (571) 272-1675. The examiner can normally be reached M-F: 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Susan Rayyan

January 25, 2007

  
**HOSAIN ALAM**  
SUPERVISORY PATENT EXAMINER